
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Dinis Athanasios

Write the full name of each plaintiff.

____ CV ____
(Include case number if one has been assigned)

-against-

New York City Department of Education, Christina

Koza, Principal of Spring Creek Community School

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Athanasios		Dinis
First Name	Middle Initial	Last Name
58-09 48th Avenue		
Street Address		
Woodside	NY	11377
County, City	State	Zip Code
347-327-3663	Tdinis98@aol.com	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1:	New York City Department of Education, c/o Hon. Sylvia O. Hinds-Radix,		
	Name		
	Corporation Counsel for the City of New York, 100 Church Street		
	Address where defendant may be served		
	New York, New York	NY	10007
	County, City	State	Zip Code
Defendant 2:	Christina Koza, Principal of Spring Creek Community School		
	Name		
	1065 Elton Street		
	Address where defendant may be served		
	Kings, Brooklyn	NY	11208
	County, City	State	Zip Code

Defendant 3:

Name

Address where defendant may be served

County, City

State

Zip Code

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:
Spring Creek Community School

Name

1065 Elton Street

Address

Kings, Brooklyn

NY

11208

County, City

State

Zip Code

III. CAUSE OF ACTION

A. Federal Claims

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☒ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- ☒ race: Caucasian/White
- ☒ color: White
- ☐ religion: _____
- ☐ sex: _____
- ☐ national origin: _____

- ☐ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: _____

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: _____

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☒ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☒ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☐ terminated my employment
- ☒ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☒ retaliated against me
- ☒ harassed me or created a hostile work environment
- ☒ other (specify): Did not select me for the central Dean's position.

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

Please see the attached addendum.

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? 10/27/2021 and 11/19/2021

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? 6/14/2022

When did you receive the Notice? 6/23/2022

☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

☐ direct the defendant to hire me

☐ direct the defendant to re-employ me

☒ direct the defendant to promote me

☐ direct the defendant to reasonably accommodate my religion

☐ direct the defendant to reasonably accommodate my disability

☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

Remove disciplinary letters and negative observations from my file, assign me to

the Central Dean's Position for 2 years, return to me 87 lost CAR days, monetary compensation for costs and emotional distress damages.

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>9-7-2022</u>		<u>Athanasios Dinis</u>	
Dated		Plaintiff's Signature	
<u>Athanasios</u>	<u></u>	<u>Dinis</u>	
First Name	Middle Initial	Last Name	
<u>58-09 48th Avenue</u>			
Street Address			
<u>Woodside</u>	<u>NY</u>	<u>11377</u>	
County, City	State	Zip Code	
<u>347-327-3663</u>		<u>Tdinis98@aol.com</u>	
Telephone Number		Email Address (if available)	

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

Civil case(s) filed in the Southern District of New York:

Note: This consent will apply to all cases that you have filed in this court, so please list all of your pending and terminated cases. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

Dinis, Athanasios			
Name (Last, First, MI)			
58-09 48th Avenue		Woodside Ny	11377
Address		City	State Zip Code
347-327-3663		Tdinis98@aol.com	
Telephone Number		E-mail Address	
2-2-2022		athanasios sm	
Date		Signature	

Return completed form to:

Pro Se Intake Unit (Room 200)
500 Pearl Street
New York, NY 10007

**ADDENDUM TO FEDERAL DISCRIMINATION COMPLAINT FOR ATHANASIOS (TOMMY)
DINIS @ 9/7/22**

1. I have been employed by the NYCDOE for 17 years as a social studies 7-12 teacher. I am of Caucasian race. I believe I am being discriminated against based on my race in comparison to similarly situated black staff members.
2. In 2009, I began teaching at K571. In 2013, I was excessed because my school closed. I was forced placed and have been working at my present school, Spring Creek Community School 19K422, (a 6th-12th grade school), in Brooklyn, since September 2019, as my previous schools had closed. Christina Koza has been principal of the school since I have been working there.
3. In the 2019-20 school year, I was assigned to the SAVE room for the entire school year and worked in the function of a dean at the school.
4. In the spring of 2020, Principal Koza put forward a posting for 1 Central Dean position. I applied and I met the qualifications as per the posting. In the 2020-21 school year, I was assigned to a full-time dean position at the school. I was rated Satisfactory at the end of the year. I was not assigned to a regular teaching program.
5. On April 26, 2021, I was addressing a female student about being out of uniform when a paraprofessional Faradja Theodore (who is of black race) interrupted me, incorrectly telling the student she could wear beige pants. Ms. Theodore then walked to room 305 and told AP Hammer, "I wish Mr. R. was the dean." I told AP Hammer about the disagreement and unprofessional remarks made about me but he did not do anything to address Ms. Theodore's unprofessional conduct.
6. On April 28, 2021, AP Hammer asked me to assist two teachers to bring two laptop carts down from the third floor to the first floor cafeteria. While I assisted AP Hammer with this task, there were many safety issues in the hallway. Students had schedule problems, were not spaced out six feet for Covid-19 as per CDC guidelines and DOE school policy, were using their cell phones, wearing hats/hoodies, and were left unsupervised without any help from any staff members. Paraprofessionals Mr. Registe (who is of black race) and Ms. Theodore were hanging out at the end of the hallway, chatting and not monitoring or supervising the students. I waved for assistance from both of them, and Mr. Registe thought I snapped my fingers at him which I did not. He embarrassed and threatened me publicly in front of teachers and students in an angry tone by stating "don't ever snap your fingers at me." I emailed Principal Koza and AP Hammer about the incident that happened on that day with Mr. Registe and requested I have UFT representation at my meeting with them. I did not feel safe and I felt attacked and bullied by both of them and unsupported.
7. On April 30, 2021, at a meeting with Principal Koza and AP Hammer in Principal Koza's office about my April 28th complaint, I informed them that Mr. Registe and Ms. Theodore were not supporting me and provided the administration with many examples. I also

provided them with a daily log of incidents I made versus how many they made to show they were not supporting me. Principal Koza claimed she watched the video of the April 28th hallway incident with Mr. Registe and took the side of Mr. Registe and criticized me for my actions. I began to cry as I felt unsafe and not supported by the administration or the disciplinary support team members. AP Hammer denied me a UFT union representative at the meeting.

8. On May 3, 2021, during a virtual professional development, Ms. Diamond, a black female teacher, typed in the chat that I was a white prison warden and that I was “perpetuating the prison system and trying to control our students by forcing them in the classroom.” I told AP Hammer about this insensitive racial remark, and nothing was done to address this matter. I told him the remarks were racially insensitive and not right and someone from administration should speak to Ms. Diamond about it. Assistant Principal Astrid Rousseau attended this virtual professional development but ignored the remarks that were made in the chat.
9. In the afternoon on May 5, 2021, at a subsequent meeting in Principal Koza’s office with Principal Koza and APs Hammer and Huxtable to provide me with feedback about my April 28th email, Principal Koza again supported Mr. Registe by stating she looked at the video of April 28, 2021, and it seemed like I did snap my fingers at Mr. Registe and said that I followed him inside the technology room. That is not true as Mr. Registe never came to support me. She accused me of using aggressive and racially prejudicial language in the email (because I said I was embarrassed and felt threatened by Mr. Registe’s tone) that I sent her on April 28, 2021, and that there is no hierarchy in the school (in response to my complaint that the APs did not assist me.) She threatened to end the meeting early when I told her I did not agree with her feedback and threatened to fire/reassign me from the school.
10. In the morning on May 5, 2021, I had spoken with School Safety Officer Ezel at the school, who told me that the administration does not know how to use the video surveillance system and that it is a new system installed in November 2020. Mr. Ezel told me the video surveillance system records no sound, and that the administration did not request to see any video regarding Mr. Registe and me. He said that the only teacher they requested to see was a video about a teacher named Mr. Pliskin.
11. Later in the morning on May 5, 2021, I spoke with a math teacher Ms. Antoine, who witnessed the interaction between me and Mr. Registe on April 28, 2021 near the elevators when Mr. Registe yelled at me “don’t ever snap your fingers at me.” She was an eyewitness on that date, and I asked her if any administrator spoke to her about the interaction with me and Mr. Registe. She said that no one came to question her to see what happened.
12. On May 11, 2021, in Principal Koza’s office, with APs Hammer and Huxtable and Mr. Registe and Ms. Theodore, we all met as a team to review expectations and roles. I told the disciplinary team that I am ready to move on from the misunderstanding that occurred

on April 28th, and I am ready to work as a team again. Mr. Registe shook his head and chose not to speak. Ms. Theodore said that she respects me and can work with me but that she cannot trust me. She went on to say that the email I wrote to Principal Koza on April 28th, made her sound like an angry black woman and that I attacked her character. Based on these comments and actions, Principal Koza did not select me to be dean to appease them because they were black and because I am Caucasian.

13. In the spring of 2021, the principal put forward a posting for 1-2 Central Dean positions. I applied. The Central Dean posting was substantively the same posting as the prior year when I was selected to be the central dean. I met all qualifications as per the posting. On June 17, 2021, I interviewed for the dean(s) positions in Principal Koza's office with APs Huxtable and Hammer. During this interview, Principal Koza asked a question about race since the school is predominantly made up of black students and staff. The interview was not fair and equitable and not all the applicants were asked the same set of questions.
14. On June 21, 2021, I learned that Jonathan Frasier (who is of black race) and Safiya Blanc (who is of black race) had been selected for the Central dean positions. Principal Koza tentatively offered me a full-time Logistics Dean position, pending budget approval, for the following school year (this position was not publicly posted which is against the contract) and I accepted but my preferred choice was one of the two co-dean positions. She hired two black full-time co-deans, Jonathan Frasier and Safiya Blanc, instead for the 2021-22 school year, even though I met all the qualifications of the central dean posting and have more system seniority than both of them. I believe she demoted me and did not select me for the Dean's position in retaliation for my objecting to being called racist regarding the incident with the paraprofessionals.
15. On June 21, 2021, during the school's virtual afternoon staff meeting, Principal Koza stated that the school had money and that "we are in good shape, we are not in a crisis. We are looking good." The federal and state governments provided a lot of money to schools this year because of the Covid-19 pandemic.
16. On June 24, 2021, I asked Safety Officer Ezel if I could look at the school video system. He agreed, and I recorded what occurred on April 28th on my cell phone to show that I did not snap my fingers at Mr. Registe, that he did not come to support me, to show there were many safety incidents at the hallway that were not addressed, and to show that Principal Koza had lied about what happened during the April 28th incident.
17. On June 24, 2021, Principal Koza reviewed and obtained the official log of all the footage viewed on the School Safety Camera account ('ssabase") which was obtained from the New York City Department of Education's Division of Instructional and Informational Technology, with the assistance of Brooklyn Borough Safety Director Gary Albin. She demanded that I hand over my cell phone so that she can check my phone and my recently deleted files to make sure I deleted the recorded video. I refused.
18. On June 25, 2021, I filed a complaint with my union, the UFT, regarding Principal Koza's discriminatory behavior against me.

19. On July 21, 2021, Principal Koza emailed me that she cannot offer me the full-time dean's position as she did not get budget approval from DOE HR, and that I would be assigned to be the "save room teacher" for the following school year. She did not provide me with a teaching schedule or building program for the 2021-2022 school year at that time. I replied back to ask what my responsibilities would include in this position for the following school year and how it was different from the Logistics Dean position she initially offered and she never replied. She was not responsive. As I was qualified and was more senior than both Mr. Frasier and Ms. Blanc, it was arbitrary and discriminatory to select them before me for the central dean positions. I believe she demoted me and did not select me from the Dean's position in retaliation for my objecting to being called racist regarding the incident with the paraprofessionals.
20. On September 9th, 2021, I returned to the school with no teaching schedule or building program. I worked in the Save room with no teaching assignment until November 8th, 2021. Upon returning on the same day, I also received a 48-Hour Notice letter from Principal Koza to meet about allegations of insubordination and professional misconduct.
21. On September 22, 2021, I was called into a disciplinary meeting with Principal Koza and APs Huxtable and Rousseau, and the school chapter leader, Jamila Mullen, where I was accused of insubordination and professional misconduct. Principal Koza accused me of using aggressive and prejudicial language towards the paraprofessionals in my April 28th email to her and that I made false allegations against the paraprofessional Mr. Registe. She said I used weaponized language against people of color because I said I felt embarrassed and threatened by Mr. Registe's tone. Principal Koza also provided a written statement from Safety Agent Tolman Ezell. The written statement was filled with erroneous dates and statements that were not factual and contradicted what we spoke about in person shortly after I was called into Principal Koza's office on June 24th. I believe she coerced and told Mr. Ezell what to write in the statement and conducted an improper investigation.
22. On October 5, 2021, the school custodian, Mr. Gianni, told me that Principal Koza said to him "you do not want trouble with the black community" when he told Principal Koza that he would tell workers of color what needed to be fixed in the school and Principal Koza would tell him "do not argue with them or start trouble."
23. On October 21, 2021, I had a meeting with APs Huxtable and Rousseau, and I was informed that there would be a program change in my schedule starting in 2 weeks. I am being assigned a 10th grade Global social studies and a 11th and 12th grade research elective class to teach starting in 2 weeks. These classes were not listed on my preference sheet and it was very late in the year to be assigned such classes. This placed me at a huge disadvantage as routines and rituals were already established with the other teachers that taught the classes.
24. On October 26, 2021, during the step 1 reorganization grievance hearing in the Principal's office, Principal Koza stated that all candidates that applied for the deans' positions, were

asked the same set of questions and that the interview was formal and equitable. The only difference was that questions were adjusted for someone that was in a dean role before or not. That is not true. Mr. Ribenbach (who is white) and I were asked a question about how we would act towards people of color since we are in a school that has predominantly black staff and black students. Mr. Ribenbach and I spoke about this, and he agreed that it appears that the two black co-deans were likely selected because of the color of their skin.

25. On October 27, 2021, I filed a New York State Division of Human Rights ("SDHR") complaint against the Department of Education. On October 28, 2021, my attorney sent Principal Koza a copy of my complaint.
26. Shortly after I filed the union reorganization grievance and SDHR complaint against my principal, on November 3, 2021, I received the first disciplinary letter to my file in my career, dated November 1, 2021. Principal Koza stated that I engaged in Professional Misconduct and that my conduct may lead to further disciplinary action, including disciplinary charges that may lead to termination of my employment.
27. I believe I have been retaliated against with a disciplinary letter to file as a result of filing a grievance involving my UFT district representative outside the school challenging the removal from my preferred dean position this school year for discriminatory reasons and filing a SDHR complaint.
28. On November 17, 2021, I facilitated Field Day activities for the middle school along with Mr. Weinstein and Mr. Scannell at Jefferson Field. I worked for 6 periods straight and took my lunch period 7 as per instructions of AP Hammer. I then attended a social studies PD in room 348 along with my social studies colleagues from 1:15 pm until dismissal time. I logged in to the virtual staff meeting at 3:14 and exited after a few minutes as the sound was too loud and I did not want to disturb the conference. I watched the meeting and listened to all the announcements via the Promethean Board as Ms. Floratos screen shared the meeting there. I was notified by Mr. Scannell and Mr. Weinstein later that evening that Principal Koza and AP Hammer called them to inquire where I was during my lunch and my whereabouts during the afternoon PD. I then received an email from Principal Koza that I left the meeting and that attendance in these meetings are mandatory. She also stated not to leave early or before my contractual work time. I taught a class during the last period, 8th period, every day so it is impossible for me to leave early. On November 24, 2021, I observed Mr. Perez leave the virtual staff meeting early. On November 29, 2021, I spoke to Mr. Perez and asked him if any admin member emailed him or talked to him about this and he said no and that he left because he was in a room filled with people. On December 1, 2021, I observed Mr. Cole (black) leave the virtual staff meeting early. On December 3, 2021, I spoke to Mr. Cole, and I asked him if the administration emailed or spoke to him, and he said no and that he left the meeting because he was sneezing.
29. On November 19, 2021, I filed a retaliation complaint with the New York State Division of Human Rights.

30. On November 23, 2021, Principal Koza denied the step 1 grievance to remove the disciplinary letter from my file.
31. On January 18, 2022, during the step 3 reorganization arbitration hearing, Principal Koza stated that I lacked racial and cultural competencies and that is why she rescinded the offers and did not give me the deans' positions.
32. On January 20, 2022, I was observed the day I came back from COVID leave. I also received a threatening email on January 21, 2022, when Principal Koza, after following a student into the SAVE room, saw one student (who was about 30 feet away from) watching a non-academic Youtube video and the other using his cell phone and that both students had no academic work. That is not true. I emailed the students' teachers and copied AP Hammer first thing in the morning for them to bring work to the SAVE room so that the students have their work for the day. I walked around several times to monitor their behavior and to help them with their work. I told AP Hammer that Principal Koza's email was unjustified and wrong and he said, "I know, and I am sorry." The students also told me that Principal Koza came to the SAVE room on Thursday, January 20th and saw another student using her cell phone. The students told me and AP Hammer that Principal Koza did not say anything to the student or Mr. Alexis the covering teacher that period (who is of black race), about not using her cell phone in the SAVE room and monitoring her behavior.
33. This comes on the heels of my step 3 UFT reorganization grievance hearing with Principal Koza on January 18, 2022.
34. On January 25, 2022, I received an email from AP Huxtable that my schedule will be changed again due to losing a science teacher and a social studies teacher resigning and that I will receive an additional two classes to my schedule for next semester which begins on February 2nd. This change will remove me from the Save room and be my third schedule change so far this school year.
35. On January 31, 2022, I received an email from AP Rousseau regarding "glows and grows" feedback from my observation in a global history class I was teaching that was conducted on January 20, 2022. The feedback was mostly negative. I disagreed with the feedback, explaining my reasons, but the administration has failed to respond to my points.
36. Also on January 31, 2022, the school administration held a virtual staff meeting from 9 am-9:40 am, to be followed by a virtual Respect for All Training facilitated by guidance counselor Mr. Ty. Mr. Ty was not available, so the administration did the grade team meetings instead. I waited in the meeting and then left the meeting expecting a new link to a grade team meeting and respect for all training and a new email with the revised schedule for the day. My name was not listed on the grade team meeting google document nor was it ever on my teaching schedule. I then received a threatening email about a couple of hours later from Principal Koza questioning my whereabouts. On that same day, AP Rousseau (at Principal Koza's request) summoned me to a virtual meeting to question my whereabouts and denied me UFT representation. I was not told that anything in this

meeting would lead to a disciplinary response.

37. On February 3, 2022, I attended a virtual step 2 reorganization hearing for my third schedule change with my UFT district representative Jason Goldberg and Deputy Superintendent Dr. Hoa Tu. Even though a spring preference sheet was never given to me and I complained to her about discrimination, retaliation, and harassment, Dr. Tu still denied my grievance on February 8th. Because of the stress caused by repeated harassment, embarrassment, and retaliation by my administration this year, I decided to take a restoration of health leave beginning on February 2nd until June 17, 2022, forcing me to use my CAR days to continue my salary.
38. On March 11, 2022, I received an informal observation report for the January 20th observation via email by AP Rousseau. As expected, I received mostly negative feedback with four Developing and one Effective. I immediately notified my school chapter leader, Ms. Jamilla Mullen and UFT district representative Mr. Jason Goldberg. I also filed an APPR complaint on the same day.
39. On March 14, 2022, I emailed my rebuttal letter and supporting evidence to Principal Koza. I also emailed Principal Koza and APs Rousseau and Huxtable and UFT district representative, Mr. Goldberg, that I disagree with the findings of the observation report and that there are inaccuracies, misleading statements and procedural errors (3 observable components were not rated even though there was lesson specific evidence) and that I would like to meet with them so that we may discuss and resolve it amongst ourselves.
40. On March 16, 2022, my school UFT chapter leader, Ms. Jamilla Mullen filed a step 1 retaliation and harassment grievance against Principal Koza on my behalf. On the same day, I emailed Principal Koza to let her know that my doctor may extend my restoration of health leave and that I may not return to work this school year. Principal Koza did not respond to my email.
41. On March 23, 2022, Principal Koza emailed my UFT district representative Mr. Jason Goldberg and stated that she scheduled the APPR meeting for April 4th, and would not reschedule the meeting sooner. She also said that she would not meet for the step 1 retaliation/harassment grievance since I am on a restoration of health leave.
42. On May 9, 2022, I was reevaluated by my doctor and my restoration of health leave was extended until June 17, 2022. I emailed Principal Koza to notify her of this extension. I also requested that I use my seven vacation days as CAR days to cover my leave once all of my CAR days were exhausted.
43. On May 23, 2022, AP Hammer emailed the faculty the 1-2 Central Deans Posting for the next three school years. I applied for the position on May 25, 2022. The Central Dean posting was substantially the same posting when I was selected to be the central dean in the 2020-2021 school year. I met all qualifications as per the posting. On June 14, 2022,

I interviewed for the dean(s) positions while on medical leave via a Google Meet link with Principal Koza and APs Huxtable and Hammer.

44. On June 14, 2022, the New York City Department of Education was informed by the U.S. Equal Employment Opportunity Commission that I would be dismissing EEOC forms 161 and 161-A and filing a lawsuit and pursuing the matter in Federal District Court.
45. On June 21, 2022, I returned to work after being evaluated by my doctor even though I still had symptoms. However, I was absent on June 24th and 27th as I did not feel well and my symptoms relapsed with the principal's continued retaliation and harassment when I returned to work. I had to borrow two days to cover these absences which brought my CAR DAYS to -2.
46. On June 23, 2022, I received a threatening email from Principal Koza. In this email, she wanted to schedule prior meetings that she denied and would not hear me out. She also wanted to meet me for another disciplinary conference on June 28th regarding allegations of insubordination, neglect of duty, and conduct unbecoming a professional for an incident that occurred on a remote date on January 31, 2022. This disciplinary conference was set up by Principal Koza in retaliation after she was notified by the EEOC on or around June 14th, that I would be pursuing these matters in Federal District Court.
47. On June 24, 2022, I received harassing emails from Principal Koza questioning my use of vacation days to cover my leave. This is just four days after returning from my restoration of health leave. She had failed to respond within 48 hours to my 5/9 email when I requested that my 7 vacation days be converted to car days (because all of my car days were exhausted) to cover my leave. According to DOE policy, if there was no response the days were considered approved.
48. On June 27, 2022, AP Rousseau emailed me my tentative teaching schedule for the 2022-2023 academic year which would include Global I and current events/advisory.
49. On June 28, 2022, I attended a virtual disciplinary conference with Principal Koza and my UFT district representative Jason Goldberg. I was accused of insubordination, professional misconduct, and conduct unbecoming a professional. I was accused of recording a conversation that I had with School Safety Officer Ezel on June 24th without his permission because I did not trust the principal. The conversation that I had with School Safety Officer Ezel on that day and what he wrote in his written statement in September were two different versions. I believe Principal Koza told him what to write in his statement and therefore conducted an improper investigation. On that day, I also requested that my UFT school chapter leader, Ms. Jamilla Mulle file a step 1 reorganization grievance for not being selected for one of the two central deans' positions again in the 2022-2023 school year. Administration did not inform me of the two candidates that they selected for the dean's position when I asked in email and in person when I returned my laptop on 6/28 in school. I found out that Principal Koza selected the same two candidates as the previous

year, Mr. Jonathan Frasier and Ms. Safiya Blanc (both black) by asking for the school reorganization sheet from my school UFT chapter leader, Ms. Jamilla Mullen. I was denied one of the two deans' positions once again.

50. I believe I continue to be retaliated against because of the step 3 UFT reorganization arbitration hearing that took place on January 18, 2022, and because Principal Koza was also notified on or around June 14th, that I would be pursuing these matters in Federal District Court.
51. I believe I have been removed and not selected from my preferred dean position this school year and assigned classes based on race discrimination, as the positions were given to less qualified black individuals who have less seniority than me, and I was falsely accused of being a racist by the principal to a paraprofessional in the school. Principal Koza has also retaliated against me for filing my SDHR Complaints and exercising my union rights by issuing me a disciplinary letter to my file, threatening emails, and negative observation feedback and evaluations.
52. As a result of the embarrassment, discrimination, retaliation, harassment, demotion, and hostile work environment that I faced, I developed symptoms of depression, generalized anxiety disorder, anger, disturbed sleep rhythm, and post-traumatic stress disorder. I attended weekly therapy sessions with a psychotherapist and began taking medication and sleeping pills. These incidents have affected my mental and physical health that made me unable to perform my duties at work and therefore took a restoration of health leave so that my symptoms may improve at the advice of my psychotherapist and primary physician. I lost 78 CAR Days and 7 vacation days (which were converted to CAR days) to cover this leave. I also had to borrow 2 CAR days as I did not feel well when I returned to work because the principal continued to retaliate and harass me (87 total CAR days). I also spent money on attorney fees, doctors, and medication. I ask that you direct the Department to assign me to the position of Dean for two years beginning in the 2022-2023 school year, remove the disciplinary letter to my file, remove the negative observation report and evaluations from my file, reinstate the CAR days that I had to use because of the retaliation, and provide monetary compensation for the attack on my character, stress, harassment, pain and suffering, injury to feelings, and embarrassment.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office
33 Whitehall St, 5th Floor
New York, NY 10004
(929) 506-5270
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 06/14/2022

To: Athanasios Dinis
58-09 48th Avenue, 2nd Floor
Woodside, NY 11377
Charge No: 16G-2022-00517

EEOC Representative and email: Holly Shabazz
S/L Tribal Program Manager
holly.shabazz@eeoc.gov

DISMISSAL OF CHARGE

The EEOC is closing this charge because: Charging Party wishes to pursue matter in Federal District Court.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission,

Digitally Signed By: Judy Keenan
06/14/2022

Judy Keenan
District Director

New York State Division of Human Rights Employment Complaint Form

Although workers, interns and volunteers of all ages are protected, you must be 18 years or older to file a complaint. A parent, guardian or other person having legal authority to act in the minor's interests must file on behalf of a person under the age of 18.

1. Your contact information:											
First Name <u>Athanasios (Tommy)</u>		Middle Initial/Name									
Last Name <u>Dinis</u>											
Street Address/ PO Box <u>58-09 48th Avenue</u>		Apt or Floor #: <u>2nd floor</u>									
City <u>Woodside</u>		State <u>NY</u>	Zip Code <u>11377</u>								
If you are filing on behalf of another, provide the name of that person:		Date of birth:	Relationship:								
2. Regulated Areas: Check the area where the discrimination occurred: (If you wish to file against multiple entities, for example employer and temp agency, please file a separate complaint against each.) <table style="width: 100%; margin-top: 10px;"> <tr> <td><input checked="" type="checkbox"/> Employment <i>(including paid internship)</i></td> <td><input type="checkbox"/> by a Labor Organization</td> </tr> <tr> <td><input type="checkbox"/> Internship <i>(unpaid)</i></td> <td><input type="checkbox"/> Apprentice Training</td> </tr> <tr> <td><input type="checkbox"/> Contract Work <i>(independent contractor, or work for a contractor)</i></td> <td><input type="checkbox"/> by a Temp or Employment Agency</td> </tr> <tr> <td><input type="checkbox"/> Volunteer Position</td> <td><input type="checkbox"/> Licensing</td> </tr> </table>				<input checked="" type="checkbox"/> Employment <i>(including paid internship)</i>	<input type="checkbox"/> by a Labor Organization	<input type="checkbox"/> Internship <i>(unpaid)</i>	<input type="checkbox"/> Apprentice Training	<input type="checkbox"/> Contract Work <i>(independent contractor, or work for a contractor)</i>	<input type="checkbox"/> by a Temp or Employment Agency	<input type="checkbox"/> Volunteer Position	<input type="checkbox"/> Licensing
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<input type="checkbox"/> Internship <i>(unpaid)</i>	<input type="checkbox"/> Apprentice Training										
<input type="checkbox"/> Contract Work <i>(independent contractor, or work for a contractor)</i>	<input type="checkbox"/> by a Temp or Employment Agency										
<input type="checkbox"/> Volunteer Position	<input type="checkbox"/> Licensing										
3. You are filing a complaint against:											
Employer, Worksite, Agency or Union Name <u>New York City Department of Education/ Spring Creek Community School</u>											
Street Address/ PO Box <u>65 Court Street/ 1065 Elton Street</u>											
City <u>Brooklyn</u>		State <u>NY</u>	Zip Code <u>11201/ 11208</u>								
Telephone Number: <u>718-688-7200</u>											
In what county or borough did the violation take place? <u>Brooklyn</u>											
Individual people who discriminated against you:											
Name: <u>Christina Koza</u>		Title: <u>Principal</u>									
Name: <u>Devon Registe</u>		Title: <u>Paraprofessional</u>									
If you need more space, please list them on a separate piece of paper.											
4. Date of alleged discrimination (must be within one year of filing):											
The most recent act of discrimination happened on: <u>9</u> <u>22</u> <u>2021</u> <div style="text-align: center;">month day year</div>											
5. For employment and internships, how many employees does this company have?											
<input type="checkbox"/> 1-14 <input type="checkbox"/> 15-19 <input checked="" type="checkbox"/> 20 or more <input type="checkbox"/> Don't know											

6. Are you currently working for this company?	
<input checked="" type="checkbox"/> Yes. Date of hire: <u>09</u> <u>01</u> <u>2019</u> <div style="text-align: center;">month day year</div>	What is your position? Save room teacher
<input type="checkbox"/> No. Last day of work: _____ <div style="text-align: center;">month day year</div>	What was your position?
<input type="checkbox"/> I was never hired. Date of application: _____ <div style="text-align: center;">month day year</div>	What position did you apply for?

7. Basis of alleged discrimination:	
Check ONLY the boxes that you believe were the reasons for discrimination, and fill in specifics only for those reasons. Please look at page 2 of "Instructions" for an explanation of each type of discrimination.	
<input type="checkbox"/> Age: Date of Birth: _____	<input type="checkbox"/> Familial Status:
<input type="checkbox"/> Arrest Record	<input type="checkbox"/> Military Status: <input type="checkbox"/> Active Duty <input type="checkbox"/> Reserves <input type="checkbox"/> Veteran
<input type="checkbox"/> Conviction Record	<input type="checkbox"/> Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed
<input type="checkbox"/> Creed/ Religion: Please specify: _____	<input type="checkbox"/> National Origin: Please specify: _____
<input type="checkbox"/> Disability: Please specify: _____	<input type="checkbox"/> Predisposing Genetic Characteristic:
<input type="checkbox"/> Domestic Violence Victim Status	<input type="checkbox"/> Pregnancy-Related Condition: Please specify: _____
<input type="checkbox"/> Gender Identity or Expression, Including the Status of Being Transgender	<input type="checkbox"/> Sexual Orientation: Please specify: _____
<input checked="" type="checkbox"/> Race/Color or Ethnicity: Please specify: <u>I am white</u> <input type="checkbox"/> Trait historically associated with race such as hair texture or hairstyle	<input type="checkbox"/> Sex: Please specify: _____ Specify if the discrimination involved: <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> Use of Guide Dog, Hearing Dog, or Service Dog	
If you believe you were treated differently after you filed or helped someone file a discrimination complaint, participated as a witness to a discrimination complaint, or opposed or reported discrimination due to any category above, check below:	
<input type="checkbox"/> Retaliation: How did you oppose discrimination: _____	
If you believe you were discriminated against because of your relationship or association with a member or members of a protected category listed above, indicate the relevant category(ies) above, and check below.	
<input type="checkbox"/> Relationship or association	

8. Acts of alleged discrimination: *What did the person/company you are complaining against do? Check all that apply*

<input type="checkbox"/> Refused to hire me	<input checked="" type="checkbox"/> Gave me a disciplinary notice or negative performance review	<input type="checkbox"/> Denied my request for an accommodation for my disability, or pregnancy-related condition	<input type="checkbox"/> Sexual harassment
<input type="checkbox"/> Fired me/laid me off	<input type="checkbox"/> Suspended me	<input type="checkbox"/> Denied me an accommodation for domestic violence	<input checked="" type="checkbox"/> Harassed or intimidated me on any basis indicated above
<input checked="" type="checkbox"/> Demoted me	<input type="checkbox"/> Did not call back after lay-off	<input type="checkbox"/> Denied me an accommodation for my religious practices	<input type="checkbox"/> Denied services or treated differently by a temp or employment agency
<input type="checkbox"/> Denied me promotion/ pay raise	<input type="checkbox"/> Paid me a lower salary than other co-workers doing the same job	<input type="checkbox"/> Denied me leave time or other benefits	<input type="checkbox"/> Denied a license by a licensing agency
<input type="checkbox"/> Denied me training	<input type="checkbox"/> Gave me different or worse job duties than other workers doing the same job	<input type="checkbox"/> Discriminatory advertisement or inquiry or job application	<input type="checkbox"/> Other:

9. Description of alleged discrimination

Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and explain why you think it was discriminatory. TYPE OR PRINT CLEARLY.

Please see attached addendum.

If you need more space to write, please continue writing on a separate sheet of paper and attach it to the complaint form. DO NOT WRITE IN THE MARGINS OR ON THE BACK OF THIS FORM.

Signature (Declaration or Oath)

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

By filing this complaint, I understand that I am also filing my employment complaint with the United States Equal Employment Opportunity Commission under the Americans With Disabilities Act (covers disability related to employment), Title VII of the Civil Rights Act of 1964, as amended (covers race, color, religion, national origin, sex relating to employment), and/or the Age Discrimination in Employment Act, as amended (covers ages 40 years of age or older in employment). This complaint will protect my rights under federal law.

I hereby authorize the New York State Division of Human Rights to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission, subject to the statutory limitations contained in the aforementioned law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)

PLEASE INITIAL A.D. _____

Human Rights Law § 297.1 requires that a complaint filed with the Division of Human Rights must be "under oath or by declaration." You must complete either the "declaration" or "oath" sections below. The declaration requires only your signature and does not need to be notarized. The oath requires that you sign it before a notary.

DECLARATION

I affirm this 21 day of October (month), 2021 (year) at Queens (city), NY (state), under penalties of perjury, that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Athanasios Dinis

[Complainant name]

OATH

STATE OF NEW YORK)
COUNTY OF Queens) SS:

Athanasios Dinis, being duly sworn, deposes and says: that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and knows the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Athanasios Dinis

Complainant signature

Subscribed and sworn to
before me this 27th day
of October, 2021

RACHEL BADAL
Notary Public, State of New York
No. 01BA6087097
Qualified in Kings County
Commission Expires Feb. 10, 2023

Rachel Badal
Signature of Notary Public

Please note: Once this form is completed and returned to the New York State Division of Human Rights, it becomes a legal document and an official complaint with the Division.

Additional Information, Page 1: *This page is for the Division's records and will not be sent to the company or person(s) whom you are filing against.*

1. Contact information

My primary telephone number: 347-327-3663

My secondary telephone number: 718-458-0165

My date of birth: 03-31-77

(Required) My email address: tdinis98@aol.com

The Division uses email, whenever possible, to communicate with the parties to complaints. This avoids delays and lost mail, and increases the efficiency of Division case processing. Therefore, you are required to provide an email address, if you have one, and to keep us advised of any change of your email address. The Division will not use your email address for any non-case related matters.

Contact person (Someone who does not live with you but will know how to contact you if we cannot reach you)

Contact person's name: Vasilios Dinis

Contact person's telephone number: 917-818-5118

Contact person's address: 58-09 48th Avenue Woodside Ny 11377 3rd floor

Contact person's email address: bdinis@aol.com

Contact person's relationship to me: Brother

2. Special needs: I am in need of:

- ☐ Interpretation (if so what language?): _____
- ☐ Accommodations for a disability: _____
- ☐ Privacy. Keep my contact information confidential as I am a victim of domestic violence
- ☐ Other: _____

3. Settlement / Conciliation: To settle this complaint, I would accept:

(Explain what you want to happen as a result of this complaint. Do you want a letter of apology, job offer, return to the job, an end to the harassment, compensation, etc.?)

Return of my dean's position or Logistics Dean position that was offered, an end to harassment/retaliation, monetary compensation for pain, suffering, stress, anxiety and humiliation.

4. Witnesses (information about witnesses may be shared with the parties as necessary for the investigation) The following people saw or heard the discrimination and can act as witnesses:

Name: Jamila Mullen

Telephone Number: 917- 825 0098

What did this person witness?

She heard Principal Koza say I used coded language and used weaponized language against people of color and used racial stereotypes.

Name: Jeffrey Hammer

Telephone Number: 914-400-5833

What did this person witness?

He was in the meeting when Principal Koza told me I cannot work at the school if I would not follow the school's core beliefs and work collaboratively and that I used prejudicial/racial language and was superior than black people (hierarchy)

If yes, how exactly did you complain about the discrimination? (To whom did you complain?)

Date you reported or complained about discrimination:

<u>04</u>	<u>28</u>	<u>2021</u>
month	day	year

If you did not report the discrimination, please explain why:

The principal sided with the two black paraprofessionals (Mr. Registe and Ms. Theodore) and hired two black co-deans. I was more qualified as I have more experience in dealing with discipline issues than them and I also have seniority over them. She favored them as they are black and working at a school with predominantly black staff and students. The paraprofessionals did not supervise or monitor students and after several complaints that they were unsupportive nothing was done about it by AP Hammer and Principal Koza. Ms. Theodore continued to sit in a chair all day and Mr. Registe was leaving the school early or on his cell phone. Ms. Theodore would leave early everyday.

ADDENDUM TO SDHR COMPLAINT FOR TOMMY DINIS @ 10/27/21

1. I have been employed by the NYCDOE for 17 years as a social studies 7-12 teacher. I am of Caucasian race. I believe I am being discriminated against based on my race in comparison to similarly situated black staff members.
2. I have been working at my present school, Spring Creek Community School in Brooklyn, since September 2019, as my previous schools had closed. Christina Koza has been principal of the school since I have been working there.
3. In the 2019-20 school year, I was assigned to the SAVE room for the entire school year and worked in the function of a dean at the school. I was not assigned to teach any classes at the school.
4. In the 2020-21 school year, I was assigned to a full-time dean position at the school, and received a Satisfactory rating at the end of the year. I was not assigned to a regular teaching schedule.
5. On March 22, 2021, during a virtual professional development, Ms. Diamond, a black female teacher, typed in the chat that I was a white prison warden and that I was "perpetuating the prison system and trying to control our students by forcing them in the classroom." I told AP Hammer about this insensitive racial remark and nothing was done to address this matter.
6. On April 26, 2021, I was addressing a female student about being out of uniform when a paraprofessional Faradja Theodore (who is of black race) interrupted me, incorrectly telling the student she could wear beige pants. I told AP Hammer about the disagreement but he did not do anything to address Ms. Theodore's unprofessional conduct.
7. On April 28, 2021, AP Hammer asked me to assist two teachers to bring laptops down to the cafeteria as there were many safety issues in the hallway. Paraprofessionals Mr. Registe (who is of black race) and Ms. Theodore were hanging out at the end of the hallway not monitoring or supervising the students. I waved for assistance from both of them, and Mr. Registe thought I snapped my fingers at him which I did not. He embarrassed and threatened me publicly in front of teachers and students in an angry tone by stating "don't ever snap your fingers at me." I emailed Principal Koza about the incident that happened on that day with Mr. Registe.
8. On April 30, 2021, at a meeting with Principal Koza and AP Hammer about my April 28th complaint, I informed them that Mr. Registe and Ms. Theodore were not supporting me and provided the administration with many examples. I also provided them with a log of incidents I made to show they were not supporting me. Principal Koza claimed she watched the video of the April 28th hallway incident with Mr. Registe and took the side of

Mr. Registe and criticized me for my actions. AP Hammer denied me a union representative at the meeting.

9. In the afternoon on May 5, 2021, at a subsequent meeting in Principal Koza's office with Principal Koza and APs Hammer and Huxtable to provide me with feedback about my April 28th email, Principal Koza again supported Mr. Registe by stating she looked at the video of April 28, 2021, and it seemed like I did snap my fingers at Mr. Registe and said that I followed him inside the technology room. That is not true as Mr. Registe never came to support me. Principal Koza also said that Mr. Registe's remarks were not a threat. She also said I used aggressive and racially prejudicial language in the email (because I said I was embarrassed and felt threatened by Mr. Registe's tone) that I sent her on April 28, 2021, and that there is no hierarchy in the school (in response to my complaint that the APs did not assist me.) She threatened to end the meeting early when I told her I did not agree with her feedback and threatened to fire/reassign me from the school.
10. In the morning on May 5, 2021, I had spoken with School Safety Officer Ezel at the school, who told me that the administration does not know how to use the video surveillance system and that it is a new system installed in November 2020. Mr. Ezel told me the video surveillance system records no sound, and that the administration did not request to see any video regarding Mr. Registe and me.
11. Later in the morning on May 5, 2021, I spoke with a math teacher Ms. Antoine, who witnessed the interaction between me and Mr. Registe on April 28, 2021 when Mr. Registe yelled at me "do not ever snap your fingers at me." She was an eyewitness on that date, and I asked her if any administrator spoke to her about the interaction with me and Mr. Registe. No one came to question her to see what happened.
12. On May 11, 2021, School Safety Officer Ezel trained me and AP Hammer on how to use the school's new video surveillance system inside AP Hammer's office.
13. On June 17, 2021, I interviewed for the dean(s) positions in Principal Koza's office with APs Huxtable and Hammer. "Ms. Koza attacked me by saying "you are ignorant and it's ignorance on your own part for not knowing about race issues." She also stated that "it will happen again in the future."
14. On June 21, 2021, Principal Koza tentatively offered me a full-time Logistics Dean position for the following school year, and I accepted but my preferred choice was one of the two co-dean positions. This position includes the responsibilities of Cafeteria Coordinator, SAVE Room Supervisor/Coordinator, and logistics/coverage support. She claimed the position was pending budget approval.
15. On June 21, 2021, during the school's virtual afternoon staff meeting, Principal Koza stated that the school had money and that "we are in good shape, we are not in a crisis. We are looking good."

16. On June 24, 2021, I asked Safety Officer Ezel if I could look at the school video system. He agreed, and I recorded what occurred on April 28th on my cell phone to show that I did not snap my fingers at Mr. Registe and that he did not come to support me, and to show that Principal Koza had lied about what happened during the April 28th incident. She did little to no investigation of the incident.
17. On July 21, 2021, Principal Koza emailed me that she cannot offer me the full-time dean's position as she did not get budget approval from DOE HR, and that I would be assigned to be the "save room teacher" for the following school year. I replied back to ask what my responsibilities would include in this position for the following year and she never replied. She hired two black full-time co-deans, Jonathan Frasier and Safiya Blanc, instead for the 2021-22 school year, even though I am more qualified than them for the position and have more seniority in the school. I believe she demoted me from the Dean's position in retaliation for my objecting to being called racist regarding the incident with the paraprofessionals.
18. On September 22, 2021, I was called into a disciplinary meeting with Principal Koza and APs Huxtable and Rousseau, where I was accused of insubordination and professional misconduct. Principal Koza accused me of using aggressive and prejudicial language towards the paraprofessionals in my April 28th email to her and made false allegations against the paraprofessional Mr. Registe. She said I used weaponized language against people of color because I said I felt embarrassed and threatened by AP Registe's tone.
19. On October 21, 2021, I had a meeting with APs Huxtable and Rousseau, and I was informed that there would be a program change in my schedule starting in 2 weeks. I am being assigned a 10th grade Global social studies and a 10th grade research elective class to teach starting in 2 weeks. These classes were not listed on my preference sheet and it is late in the year to be assigned such classes. They stated that Ms. Flo, who was assigned to teach the global social studies class, is overwhelmed, and that one of the two secretaries is no longer working in the school, so they need another teacher Ms. Thomas to be in the office instead of teaching the 10th-12th grade research elective class.
20. On October 26, 2021, during the reorganization grievance hearing in the Principal's office, Principal Koza stated that all candidates that applied for the deans' positions, were asked the same set of questions and that the interview was formal and equitable. The only difference was that questions were adjusted for someone that was in a dean role before or not. That is not true. Mr. Ribenbach (who is white) and I were asked a question about how we would act towards people of color since we are in a school that has a predominantly black staff and black students. Mr. Ribenbach and I spoke about this and he agreed that it appears that the two black co-deans were likely selected because of their color and pointed to his skin.

21. I believe I have been removed from my preferred dean position this school year and assigned classes based on race discrimination, as the positions were given to less qualified black individuals who have less seniority than me, and I was falsely accused of being a racist by the principal to a paraprofessional in the school.

New York State Division of Human Rights Employment Complaint Form

Although workers, interns and volunteers of all ages are protected, you must be 18 years or older to file a complaint. A parent, guardian or other person having legal authority to act in the minor's interests must file on behalf of a person under the age of 18.

1. Your contact information:											
First Name <u>Athanasios (called Tommy)</u>		Middle Initial/Name									
Last Name <u>Dinis</u>											
Street Address/ PO Box <u>58-09 48th Avenue</u>		Apt or Floor #: <u>2nd floor</u>									
City <u>Woodside</u>		State <u>NY</u>	Zip Code <u>11377</u>								
If you are filing on behalf of another, provide the name of that person:		Date of birth:	Relationship:								
2. Regulated Areas: Check the area where the discrimination occurred: (If you wish to file against multiple entities, for example employer and temp agency, please file a separate complaint against each.) <table style="width: 100%; margin-top: 10px;"> <tr> <td><input checked="" type="checkbox"/> Employment (including paid internship)</td> <td><input type="checkbox"/> by a Labor Organization</td> </tr> <tr> <td><input type="checkbox"/> Internship (unpaid)</td> <td><input type="checkbox"/> Apprentice Training</td> </tr> <tr> <td><input type="checkbox"/> Contract Work (independent contractor, or work for a contractor)</td> <td><input type="checkbox"/> by a Temp or Employment Agency</td> </tr> <tr> <td><input type="checkbox"/> Volunteer Position</td> <td><input type="checkbox"/> Licensing</td> </tr> </table>				<input checked="" type="checkbox"/> Employment (including paid internship)	<input type="checkbox"/> by a Labor Organization	<input type="checkbox"/> Internship (unpaid)	<input type="checkbox"/> Apprentice Training	<input type="checkbox"/> Contract Work (independent contractor, or work for a contractor)	<input type="checkbox"/> by a Temp or Employment Agency	<input type="checkbox"/> Volunteer Position	<input type="checkbox"/> Licensing
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<input type="checkbox"/> Volunteer Position	<input type="checkbox"/> Licensing										
3. You are filing a complaint against:											
Employer, Worksite, Agency or Union Name <u>New York City Department of Education/Spring Creek Community School</u>											
Street Address/ PO Box <u>65 Court Street/1065 Elton Street</u>											
City <u>Brooklyn</u>		State <u>NY</u>	Zip Code <u>11201/11208</u>								
Telephone Number: <u>718-688-7200</u>											
In what county or borough did the violation take place? <u>Brooklyn</u>											
Individual people who discriminated against you:											
Name: <u>Christina Koza</u>		Title: <u>Principal</u>									
Name: <u>Tolman Ezell</u>		Title: <u>School Safety Agent</u>									
If you need more space, please list them on a separate piece of paper.											
4. Date of alleged discrimination (must be within one year of filing):											
The most recent act of discrimination happened on: <u>11</u> <u>03</u> <u>2021</u> month day year											
5. For employment and internships, how many employees does this company have?											
<input type="checkbox"/> 1-14 <input type="checkbox"/> 15-19 <input checked="" type="checkbox"/> 20 or more <input type="checkbox"/> Don't know											

6. Are you currently working for this company?			
<input checked="" type="checkbox"/> Yes. Date of hire:	9 01 2019 month day year	What is your position? Save room teacher	
<input type="checkbox"/> No. Last day of work:	____ ____ ____ month day year	What was your position?	
<input type="checkbox"/> I was never hired. Date of application:	____ ____ ____ month day year	What position did you apply for?	

7. Basis of alleged discrimination: Check ONLY the boxes that you believe were the reasons for discrimination, and fill in specifics only for those reasons. Please look at page 2 of "Instructions" for an explanation of each type of discrimination.	
<input type="checkbox"/> Age: Date of Birth: _____	<input type="checkbox"/> Familial Status:
<input type="checkbox"/> Arrest Record	<input type="checkbox"/> Military Status: <input type="checkbox"/> Active Duty <input type="checkbox"/> Reserves <input type="checkbox"/> Veteran
<input type="checkbox"/> Conviction Record	<input type="checkbox"/> Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed
<input type="checkbox"/> Creed/ Religion: Please specify: _____	<input type="checkbox"/> National Origin: Please specify: _____
<input type="checkbox"/> Disability: Please specify: _____	<input type="checkbox"/> Predisposing Genetic Characteristic:
<input type="checkbox"/> Domestic Violence Victim Status	<input type="checkbox"/> Pregnancy-Related Condition: Please specify: _____
<input type="checkbox"/> Gender Identity or Expression, Including the Status of Being Transgender	<input type="checkbox"/> Sexual Orientation: Please specify: _____
<input type="checkbox"/> Race/Color or Ethnicity: Please specify: _____ <input type="checkbox"/> Trait historically associated with race such as hair texture or hairstyle	<input type="checkbox"/> Sex: Please specify: _____ Specify if the discrimination involved: <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> Use of Guide Dog, Hearing Dog, or Service Dog	
If you believe you were treated differently after you filed or helped someone file a discrimination complaint, participated as a witness to a discrimination complaint, or opposed or reported discrimination due to any category above, check below:	
<input checked="" type="checkbox"/> Retaliation: How did you oppose discrimination: <u>filed a complaint on 10/28/2021</u>	
If you believe you were discriminated against because of your relationship or association with a member or members of a protected category listed above, indicate the relevant category(ies) above, and check below.	
<input type="checkbox"/> Relationship or association	

8. Acts of alleged discrimination: *What did the person/company you are complaining against do? Check all that apply*

<input type="checkbox"/> Refused to hire me	<input checked="" type="checkbox"/> Gave me a disciplinary notice or negative performance review	<input type="checkbox"/> Denied my request for an accommodation for my disability, or pregnancy-related condition	<input type="checkbox"/> Sexual harassment
<input type="checkbox"/> Fired me/laid me off	<input type="checkbox"/> Suspended me	<input type="checkbox"/> Denied me an accommodation for domestic violence	<input checked="" type="checkbox"/> Harassed or intimidated me on any basis indicated above
<input type="checkbox"/> Demoted me	<input type="checkbox"/> Did not call back after lay-off	<input type="checkbox"/> Denied me an accommodation for my religious practices	<input type="checkbox"/> Denied services or treated differently by a temp or employment agency
<input type="checkbox"/> Denied me promotion/ pay raise	<input type="checkbox"/> Paid me a lower salary than other co-workers doing the same job	<input type="checkbox"/> Denied me leave time or other benefits	<input type="checkbox"/> Denied a license by a licensing agency
<input type="checkbox"/> Denied me training	<input type="checkbox"/> Gave me different or worse job duties than other workers doing the same job	<input type="checkbox"/> Discriminatory advertisement or inquiry or job application	<input type="checkbox"/> Other:

9. Description of alleged discrimination

Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and explain why you think it was discriminatory. TYPE OR PRINT CLEARLY.

Please see attached addendum.

If you need more space to write, please continue writing on a separate sheet of paper and attach it to the complaint form. DO NOT WRITE IN THE MARGINS OR ON THE BACK OF THIS FORM.

Notarization of Complaint

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

By filing this complaint, I understand that I am also filing my employment complaint with the United States Equal Employment Opportunity Commission under the Americans With Disabilities Act (covers disability related to employment), Title VII of the Civil Rights Act of 1964, as amended (covers race, color, religion, national origin, sex relating to employment), and/or the Age Discrimination in Employment Act, as amended (covers ages 40 years of age or older in employment). This complaint will protect my rights under federal law.

I hereby authorize the New York State Division of Human Rights to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission, subject to the statutory limitations contained in the aforementioned law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)

PLEASE INITIAL A.D.

I swear under penalty of perjury that I am the complainant herein; that I have read (or have had read to me) the foregoing complaint and know the contents of this complaint; and that the foregoing is true and correct, based on my current knowledge, information, and belief.

Athanasios Sini
Sign your full legal name

Subscribed and sworn before me

This 19th day of November, 2021

Rachel Badal
Signature of Notary Public

County: Commission expires:

RACHEL BADAL
Notary Public, State of New York
No. 01BA6087097
Qualified in Kings County
Feb. 10, 2023

Please note: Once this form is completed, notarized, and returned to the New York State Division of Human Rights, it becomes a legal document and an official complaint with the Division.

Additional Information, Page 1: *This page is for the Division's records and will not be sent to the company or person(s) whom you are filing against.*

1. Contact information

My primary telephone number: 347-327-3663

My secondary telephone number: 718-458-0165

My date of birth: 03-31-1977

(Required) My email address: tdinis98@aol.com

The Division uses email, whenever possible, to communicate with the parties to complaints. This avoids delays and lost mail, and increases the efficiency of Division case processing. Therefore, you are required to provide an email address, if you have one, and to keep us advised of any change of your email address. The Division will not use your email address for any non-case related matters.

Contact person (Someone who does not live with you but will know how to contact you if we cannot reach you)

Contact person's name: Vasilios Dinis

Contact person's telephone number: 917-818-5118

Contact person's address: 58-09 48th Avenue Woodside NY 11377 3rd floor

Contact person's email address: bdinis@aol.com

Contact person's relationship to me: brother

2. Special needs: I am in need of:

- ☐ Interpretation (if so what language?): _____
- ☐ Accommodations for a disability: _____
- ☐ Privacy. Keep my contact information confidential as I am a victim of domestic violence
- ☐ Other: _____

3. Settlement / Conciliation: To settle this complaint, I would accept:

(Explain what you want to happen as a result of this complaint. Do you want a letter of apology, job offer, return to the job, an end to the harassment, compensation, etc.?)

Return of my dean's position or Logistics Dean position, and end to harassment/retaliation, monetary compensation for pain, suffering, stress, anxiety, abuse, and humiliation.

4. Witnesses (information about witnesses may be shared with the parties as necessary for the investigation) The following people saw or heard the discrimination and can act as witnesses:

Name: Mr. Joseph Weinstein

Title Teacher

Telephone Number: 516 498 7293

Relationship to me: co-worker

What did this person witness?

She was present in the disciplinary hearing on 9/22/2021, when Principal Koza presented the written statement from Mr. Ezell.

Name: Mr. Mike Scannell

Title: Teacher

Telephone Number: 917 841-2873

Relationship to me: co-worker

What did this person witness?

She provided me the copy of the disciplinary letter to my file and had to sign that I received it.

Additional Information, Page Two

5. Did you report or complain about the discrimination to someone else? ☒ Yes ☐ No

If yes, how exactly did you complain about the discrimination? (To whom did you complain?)

I complained to the UFT district representative Mr. Jason Goldberg, the UFT school chapter leader Ms. Jamilla Mullen and my personal attorney Mr. Bryan D. Glass.

Date you reported or complained about discrimination: 11 03 2021
month day year

What happened after you complained?

The UFT filed a step 1 grievance to remove the letter from the file for no Chancellor's Regulations cited and improper investigation. Mr. Glass filed a retaliatory complaint against my principal and the New York City Department of Education.

If you did not report the discrimination, please explain why:

6. Were other people treated the same as you? How?

(For example, people who were harassed by the same manager, disciplined or terminated for the same reasons, did not receive an accommodation for the same reasons, etc.).

If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, religions, etc.

7. Were other people treated better than you? How?

(For example, people who were not fired for doing the same thing you were fired for, people who were doing the same job but making more money, etc.).

If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, religions, etc.

ADDENDUM TO SDHR COMPLAINT FOR TOMMY DINIS @ 11/18/21

1. I have been employed by the NYCDOE for 17 years as a social studies 7-12 teacher. I am of Caucasian race. I believe I am being discriminated against based on my race in comparison to similarly situated black staff members.
2. I have been working at my present school, Spring Creek Community School in Brooklyn, since September 2019, as my previous schools had closed. Christina Koza has been principal of the school since I have been working there.
3. In the 2019-20 school year, I was assigned to the SAVE room for the entire school year and worked in the function of a dean at the school. I was not assigned to teach any classes at the school.
4. In the 2020-21 school year, I was assigned to a full-time dean position at the school, and received a Satisfactory rating at the end of the year. I was not assigned to a regular teaching schedule.
5. On March 22, 2021, during a virtual professional development, Ms. Diamond, a black female teacher, typed in the chat that I was a white prison warden and that I was “perpetuating the prison system and trying to control our students by forcing them in the classroom.” I told AP Hammer about this insensitive racial remark and nothing was done to address this matter.
6. On April 26, 2021, I was addressing a female student about being out of uniform when a paraprofessional Faradja Theodore (who is of black race) interrupted me, incorrectly telling the student she could wear beige pants. I told AP Hammer about the disagreement but he did not do anything to address Ms. Theodore’s unprofessional conduct.
7. On April 28, 2021, AP Hammer asked me to assist two teachers to bring laptops down to the cafeteria as there were many safety issues in the hallway. Paraprofessionals Mr. Registe (who is of black race) and Ms. Theodore were hanging out at the end of the hallway not monitoring or supervising the students. I waved for assistance from both of them, and Mr. Registe thought I snapped my fingers at him which I did not. He embarrassed and threatened me publicly in front of teachers and students in an angry tone by stating “don’t ever snap your fingers at me.” I emailed Principal Koza about the incident that happened on that day with Mr. Registe.
8. On April 30, 2021, at a meeting with Principal Koza and AP Hammer about my April 28th complaint, I informed them that Mr. Registe and Ms. Theodore were not supporting me and provided the administration with many examples. I also provided them with a log of incidents I made to show they were not supporting me. Principal Koza claimed she watched the video of the April 28th hallway incident with Mr. Registe and took the side of

Mr. Registe and criticized me for my actions. AP Hammer denied me a union representative at the meeting.

9. In the afternoon on May 5, 2021, at a subsequent meeting in Principal Koza's office with Principal Koza and APs Hammer and Huxtable to provide me with feedback about my April 28th email, Principal Koza again supported Mr. Registe by stating she looked at the video of April 28, 2021, and it seemed like I did snap my fingers at Mr. Registe and said that I followed him inside the technology room. That is not true as Mr. Registe never came to support me. Principal Koza also said that Mr. Registe's remarks were not a threat. She also said I used aggressive and racially prejudicial language in the email (because I said I was embarrassed and felt threatened by Mr. Registe's tone) that I sent her on April 28, 2021, and that there is no hierarchy in the school (in response to my complaint that the APs did not assist me.) She threatened to end the meeting early when I told her I did not agree with her feedback and threatened to fire/reassign me from the school.
10. In the morning on May 5, 2021, I had spoken with School Safety Officer Ezel at the school, who told me that the administration does not know how to use the video surveillance system and that it is a new system installed in November 2020. Mr. Ezel told me the video surveillance system records no sound, and that the administration did not request to see any video regarding Mr. Registe and me.
11. Later in the morning on May 5, 2021, I spoke with a math teacher Ms. Antoine, who witnessed the interaction between me and Mr. Registe on April 28, 2021 when Mr. Registe yelled at me "do not ever snap your fingers at me." She was an eyewitness on that date, and I asked her if any administrator spoke to her about the interaction with me and Mr. Registe. No one came to question her to see what happened.
12. On May 11, 2021, School Safety Officer Ezel trained me and AP Hammer on how to use the school's new video surveillance system inside AP Hammer's office.
13. On June 17, 2021, I interviewed for the dean(s) positions in Principal Koza's office with APs Huxtable and Hammer. "Ms. Koza attacked me by saying "you are ignorant and it's ignorance on your own part for not knowing about race issues." She also stated that "it will happen again in the future."
14. On June 21, 2021, Principal Koza tentatively offered me a full-time Logistics Dean position for the following school year, and I accepted but my preferred choice was one of the two co-dean positions. This position includes the responsibilities of Cafeteria Coordinator, SAVE Room Supervisor/Coordinator, and logistics/coverage support. She claimed the position was pending budget approval.
15. On June 21, 2021, during the school's virtual afternoon staff meeting, Principal Koza stated that the school had money and that "we are in good shape, we are not in a crisis. We are looking good."

16. On June 24, 2021, I asked Safety Officer Ezel if I could look at the school video system. He agreed, and I recorded what occurred on April 28th on my cell phone to show that I did not snap my fingers at Mr. Registe and that he did not come to support me, and to show that Principal Koza had lied about what happened during the April 28th incident. She did little to no investigation of the incident.
17. On July 21, 2021, Principal Koza emailed me that she cannot offer me the full-time dean's position as she did not get budget approval from DOE HR, and that I would be assigned to be the "save room teacher" for the following school year. I replied back to ask what my responsibilities would include in this position for the following year and she never replied. She hired two black full-time co-deans, Jonathan Frasier and Safiya Blanc, instead for the 2021-22 school year, even though I am more qualified than them for the position and have more seniority in the school. I believe she demoted me from the Dean's position in retaliation for my objecting to being called racist regarding the incident with the paraprofessionals.
18. On September 22, 2021, I was called into a disciplinary meeting with Principal Koza and APs Huxtable and Rousseau, where I was accused of insubordination and professional misconduct. Principal Koza accused me of using aggressive and prejudicial language towards the paraprofessionals in my April 28th email to her and made false allegations against the paraprofessional Mr. Registe. She said I used weaponized language against people of color because I said I felt embarrassed and threatened by AP Registe's tone.
19. On October 21, 2021, I had a meeting with APs Huxtable and Rousseau, and I was informed that there would be a program change in my schedule starting in 2 weeks. I am being assigned a 10th grade Global social studies and a 10th grade research elective class to teach starting in 2 weeks. These classes were not listed on my preference sheet and it is late in the year to be assigned such classes. They stated that Ms. Flo, who was assigned to teach the global social studies class, is overwhelmed, and that one of the two secretaries is no longer working in the school, so they need another teacher Ms. Thomas to be in the office instead of teaching the 10th-12th grade research elective class.
20. On October 26, 2021, during the reorganization grievance hearing in the Principal's office, Principal Koza stated that all candidates that applied for the deans' positions, were asked the same set of questions and that the interview was formal and equitable. The only difference was that questions were adjusted for someone that was in a dean role before or not. That is not true. Mr. Ribenbach (who is white) and I were asked a question about how we would act towards people of color since we are in a school that has a predominantly black staff and black students. Mr. Ribenbach and I spoke about this and he agreed that it appears that the two black co-deans were likely selected because of their color and pointed to his skin.

21. On September 22, 2021, during the disciplinary hearing in Principal Koza's office, Principal Koza provided a written statement from Safety Agent Tolman Ezell. The written statement was filled with erroneous dates and statements that were not factual. I believe she coerced and told Mr. Ezell what to write in the statement and conducted an improper investigation. This led Principal Koza to conclude that I engaged in Professional Misconduct which led to a disciplinary letter to my file and may lead to my termination of my employment and other disciplinary charges.
22. On October 28, 2021, Principal Koza was officially put on notice and received a copy of my SDHR complaint from my attorney Mr. Bryan D. Glass.
23. On November 3, 2021, I received a letter to my file. Principal Koza concluded that I engaged in Professional Misconduct and that my conduct may lead to further disciplinary action, including disciplinary charges that may lead to termination of my employment.
24. On November 17, 2021, I facilitated Field Day activities for the middle school along with Mr. Weinstein and Mr. Scannell at Jefferson Field. I worked for 6 1/2 periods straight and took my lunch period 7 as per AP Hammer. I then attended a social studies PD in room 348 along with my social studies colleagues from 1:15 pm until dismissal time. I logged in to the virtual staff meeting at 3:14 and exited after a few minutes as the sound was too loud and I did not want to disturb the conference. I watched the meeting and listened to all the announcements via the Promeathean Board as Ms. Flo screen shared the meeting on there. I was notified by Mr. Scannell and Mr. Weinstein later that evening that Ms. Koza and Mr. Hammer called them to inquire where I was period 7 during my lunch and my whereabouts during the afternoon PD. I then received an email from Ms. Koza that I left the meeting and that attendance in these meetings are mandatory. She also stated not to leave early or before my contractual work time. I taught a class during the last period, 8th period, every day so it is impossible for me to leave early.
25. I believe I have been removed from my preferred dean position this school year and assigned classes based on race discrimination, as the positions were given to less qualified black individuals who have less seniority than me, and I was falsely accused of being a racist by the principal to a paraprofessional in the school. **Principal Koza has also retaliated against me for filing my SDHR Complaint by issuing me disciplinary letters to my file.**